

INFORMATION PACKAGE FOR AMENDMENTS TO THE BAY COUNTY COMPREHENSIVE PLAN FUTURE LAND USE MAP

BAY COUNTY COMMUNITY DEVELOPMENT DEPARTMENT PLANNING AND ZONING DIVISION

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The following discussion provides general information regarding small and large scale Comprehensive Plan Future Land Use Map amendments in Bay County. Owners and applicants are strongly encouraged to schedule a pre-application conference with staff prior to submittal of all applications to amend the Comprehensive Plan.

BAY COUNTY SMALL SCALE COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT PROCESS

Application Submittal

Applicants are required to submit an application for a land use change to the Planning and Zoning Division. The current processing fee is located on the application. A small scale amendment is defined as a change of 10 acres or fewer (Section 163.3187(1)(a), Florida Statutes). The County is limited to a cumulative total of 120 acres of amendable land per calendar year by Florida Statutes. The same property owner may not amend any property within 200 feet of any property previously amended by the same owner within the same calendar year pursuant to Florida Statutes. All requests for amendment to the Bay County Comprehensive Plan Future Land Use Map must be submitted by the property owner or his/her duly authorized agent.

Planning and Zoning Division Staff Analysis

Planning and Zoning Division staff will prepare a staff analysis for each amendment request. The analysis contains basic review criteria used to formulate staff's recommendation. These criteria include, but are not limited to, site suitability; compatibility with surrounding land uses; consistency with the Bay County Comprehensive Plan; and the availability of public facilities and services or concurrency.

Bay County Planning Commission Public Hearing

After the application has been reviewed by Planning and Zoning Division, amendment requests are placed on the next available Bay County Planning Commission regular meeting agenda. The Planning Commission will consider the staff analysis and recommendation, any other information discovered as a result of the public hearing, and forward its recommendation to the Bay County Board of County Commissioners. The Planning Commission will recommend the Bay County Board of County Commissioners either adopt, adopt with changes, or not adopt the proposed amendment.

Bay County Board of County Commissioners Adoption Hearing

Pursuant to Florida Statutes, all small scale comprehensive plan amendments must be adopted by ordinance. Therefore, after the Planning Commission makes its recommendation, proposed amendments are scheduled for the next available Bay County Board of County Commissioners

regular meeting. This occurs approximately one month after the Planning Commission public hearing. The Board will consider the staff analysis, the recommendation of the Planning Commission, and any other information discovered as a result of the public hearing and then decide whether or not to adopt the proposed amendment.

31 Day Waiting Period

If the Board adopts the proposed amendment by ordinance, then a state imposed 31-day appeal period begins. This means that any adopted small scale amendment is not effective until 31 days after the date of adoption, provided that no appeal is made.

State and Regional Review

All small scale comprehensive plan amendments adoption ordinances are submitted to the Florida Department of Economic Opportunity as well as the West Florida Regional Planning Council. These agencies monitor the County's actions for consistency with state law.

BAY COUNTY LARGE SCALE COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT PROCESS

Application Submittal

Applicants are required to submit an application for a land use change to the Planning and Zoning Division. The current processing fee is located on the application. A large scale amendment is defined as a change of more than 10 acres. The same property owner may not amend any property within 200 feet of any property previously amended by the same owner within the same calendar year pursuant to Florida Statutes. All requests for amendment to the Bay County Comprehensive Plan Future Land Use Map must be submitted by the property owner or his/her duly authorized agent.

Planning and Zoning Division Staff Analysis

Planning and Zoning Division staff will prepare a staff analysis for each amendment request. The analysis contains basic review criteria used to formulate staff's recommendation. These criteria include, but are not limited to, site suitability; compatibility with surrounding land uses; consistency with the Bay County Comprehensive Plan; and the availability of public facilities and services or concurrency.

Bay County Planning Commission Public Hearing

After the Planning and Zoning Division has reviewed the application, the amendment request will be placed on the next available Bay County Planning Commission regular meeting agenda. The Planning Commission will consider the staff analysis and recommendation, any other information discovered as a result of the public hearing, and forward its recommendation to the Bay County Board of County Commissioners. The Planning Commission will recommend the Bay County Board of County Commissioners either adopt, adopt with changes, or not adopt the proposed amendment.

Bay County Board of County Commissioners Public Hearings

Pursuant to Florida Statutes, all large scale comprehensive plan amendments must have two public hearings before the Board of County Commissioners before adoption by ordinance. The first hearing is for transmittal to the Department of Economic Opportunity (DEO), the second hearing is for adoption. Therefore, after the Planning Commission makes its recommendation, proposed amendments will be scheduled for the next available Bay County Board of County

Commissioners regular meeting. This is approximately one month after the Planning Commission public hearing.

At the transmittal hearing, the Board of County Commissioners votes to transmit the amendment package to the DEO. After a local government submits the proposed plan amendment, the DEO has 30 days to review the package and issue a Comments Letter providing a review of the amendment's consistency with Florida Statutes. Other reviewing agencies commenting on the amendment are limited to issues that will adversely impact important state resources and facilities, and are limited to issues within the agency's jurisdiction (Section 163.3184(3)(b)4., Florida Statutes).

After receipt of the Comments Letter from the DEO, the local government has 180 days to adopt, adopt with changes or decide not to adopt the amendment. However, the adoption hearing is typically scheduled in a much shorter period of time.

After County staff has reviewed the Comments Letter, the amendment package will be scheduled for the next available Bay County Board of County Commissioners regular meeting. This will constitute the adoption hearing. At this hearing, staff will present the Comments Letter and any corresponding changes to the amendment package. The Board will consider the staff analysis, the Comments Letter, the recommendation of the Planning Commission, and any other information discovered as a result of the public hearing and then decide whether or not to adopt the proposed amendment.

Notice of Intent/Waiting Period

If adopted, County staff sends the amendment to the DEO requesting the use of the expedited state review process for issuance of a Notice of Intent (NOI) (Section 163.3184(3), Florida Statutes). The DEO has 45 days after receipt to issue a NOI that the amendment is in compliance.

In those circumstances when there is an objection to the amendment or the amendment changed during adoption, the DEO has 45 days to publish a NOI with a determination that the adopted amendment is either "in compliance" or "not in compliance" with state law.

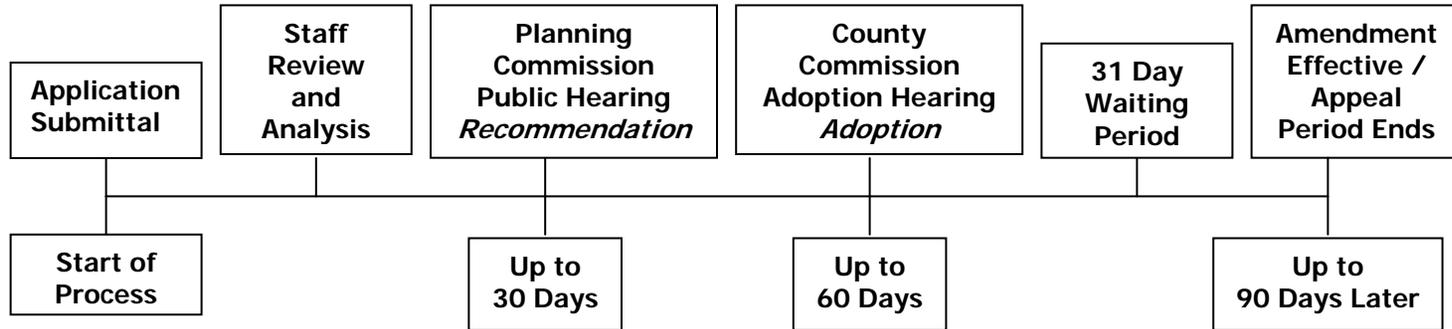
The DEO is required to post NOIs on the agency's website.

Affected parties wishing to challenge a plan amendment must do so within 30 days of the County's action to adopt the amendment.

The entire process for adoption of a Comprehensive Plan or plan amendments can be found using this link:

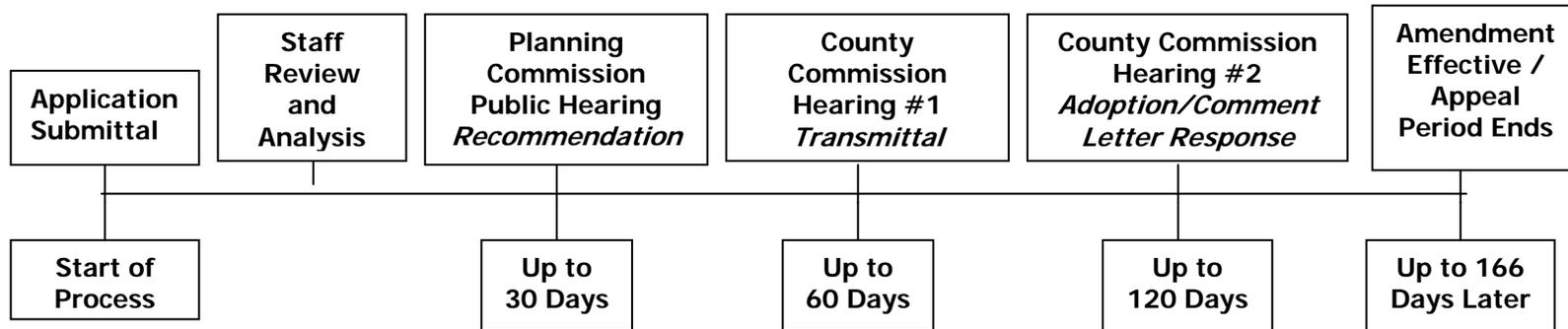
http://www.leg.state.fl.us/STATUTES/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0163/Sections/0163.3184.html

SMALL SCALE AMENDMENT APPROXIMATE TIMELINE



Approximate Time Period: 3 months

LARGE SCALE AMENDMENT APPROXIMATE TIMELINE



Approximate Time Period: 4-5 months